

AGENDA

PERSONNEL BOARD MEETING

May 14, 2012

9:30 a.m.

1. Call to Order
--Swearing in of Re-appointed Members, Doug Sapp and Don Blevins
2. Reading of the Minutes of Regular Meeting held April 13, 2012- Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Oral Arguments**
 - A. Benjamin Bourne v. Education and Workforce Development Cabinet
(Appellant requests)
 - B. Michael Egan v. Cabinet for Health and Family Services (Both Requested)
 - C. Heather Guisto v. Justice and Public Protection Cabinet (Probation and Parole)
(Both requested)
 - D. Mandy Kitts v. Justice and Public Safety Cabinet (Corrections)
(Request by Appellee)
 - E. Laura Moreno v. Cabinet for Health and Family Services (Request by Appellee)
 - F. Robert Reynolds v. Transportation Cabinet and Ernie W. Burton (Request by Appellant)
6. **Motions**
7. **Investigations**
 - A. Dept. of Juvenile Justice, Lincoln Village Youth Detention Center
Request by Thomas Brandenburg, Former Facilities Superintendent
 - B. Referral of Personnel Matters in the Auditor's Report on the Kentucky
Department of Agriculture
8. **Closed Session**
9. **Open Session**

10. Cases to be Decided

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- A. Benjamin Bourne v. Education and Workforce Development Cabinet (dismissal, positive drug test – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions
 - B. Michael Egan v. Cabinet for Health and Family Services (Dismissal, probationary -- appeal dismissed as untimely filed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Exceptions and Request for Oral Argument
 - C. Heather Guisto v. Justice and Public Protection Cabinet (Probation and Parole) (Dismissal – appeal sustained to the extent of reinstatement with a 10-day suspension)
--Appellee's Exception and Request for Oral Argument
--Appellant's Exceptions and Request for Oral Argument
 - D. Mandy Kitts v. Justice and Public Safety Cabinet (Corrections) (2 appeals) (Resigned from sick leave – appeal sustained)
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Request to Reschedule Oral Argument and Order Rescheduling
 - E. Laura Moreno v. Cabinet for Health and Family Services (Dismissal, poor work performance, FMLA – appeal sustained to the extent of reinstatement with a 30-day suspension)
--Appellee's Exceptions and Request or Oral Argument
--Appellant's Response to Exceptions
 - F. Robert Reynolds v. Transportation Cabinet and Ernie W. Burton (Promotion – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument

--Appellee's Response to Exceptions
 - G. Kenneth Jones v. Justice and Public Safety Cabinet (Corrections) (Dismissal – sustained to extent of 10-day suspension) **Deferred from April**
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Response to Appellee's Exceptions
 - H. Rhonda Watts v. Cabinet for Health and Family Services (Evaluation, dismissal – appeal sustained and score raised) **Deferred from April**
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Response to Exceptions
 - I. Bryon T. Barnes v. Justice and Public Safety Cabinet (Juvenile Justice) (Suspension – appeal dismissed, withdrew at hearing)

- J. Kimberly Bartley v. Education and Workforce Development Cabinet (3-day suspension – appeal dismissed)
- K. Debbie Biddle v. Justice and Public Safety Cabinet (Corrections) (15-day suspension, confidentiality – appeal dismissed)
- L. Fred Crane v. Justice and Public Safety Cabinet (State Police) (Starting pay issue – appeal dismissed, untimely)
- M. Elizabeth Mazzola v. Justice and Public Safety Cabinet (Corrections) (Dismissal, probationary – appeal dismissed)
- N. Michael Smith v. Transportation Cabinet (Demotion, disability discrimination – appeal dismissed)
- O. Lori Walden v. Cabinet for Health and Family Services (Promotion – appeal dismissed)

Show Cause Orders – No Response Filed – Appeals Dismissed

- P. Nathan Carter v. Transportation Cabinet
- Q. Abigail Wright v. Justice and Public Safety Cabinet (Corrections)
- *** R. Richard Roberts v. Tourism, Arts and Heritage Cabinet (Ky. State Fair Board)

11. Withdrawals

- A. Kevin Bailey v. Justice and Public Safety Cabinet and Personnel Cabinet
- B. Justin Burke v. Transportation Cabinet
- C. Wendy Jill Roberts v. Cabinet for Health and Family Services
- *** D. Josephine House v. Justice and Public Safety Cabinet (Juvenile Justice)
- *** E. Kristina Leathers v. Personnel Cabinet
- *** I. Erin E. Spalding v. Kentucky Commission on Human Rights

12. Settlements

- A. Lorenza Abrams II v. Justice and Public Safety Cabinet (mediated)
- B. Jennifer Combs v. Cabinet for Health and Family Services
- C. John D. Hughes, Jr. v. Finance and Administration Cabinet
- D. David Maupin v. Transportation Cabinet
- E. Evelyn J. Mills v. Public Protection Cabinet
- *** F. Timothy Anderson v. Transportation Cabinet
- *** G. Regina Clark v. Cabinet for Health and Family Services
- *** H. James E. Heady v. Tourism, Arts and Heritage Cabinet (Parks)

13. Other